

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In Re:)	
)	Case No. 19-44253-659
JIMMIE LEE BROWN,)	
)	Chapter 7
Debtor.)	
)	
DANIEL J. CASAMATTA,)	
Acting United States Trustee,)	
)	Adversary No. 19-04194-659
Plaintiff,)	#11 2/11
)	
v.)	
)	Hon. Kathy A. Surratt-States
JIMMIE LEE BROWN,)	Chief United States Bankruptcy Judge
)	
Defendant.)	

ORDER GRANTING MOTION FOR DEFAULT JUDGMENT

On November 26, 2019, the Acting United States Trustee for Region 13 (“the Plaintiff”) commenced this adversary proceeding by filing a complaint pursuant to 11 U.S.C. § 523(a)(10). In this adversary proceeding, the Plaintiff seeks the entry of an order that Jimmie Lee Brown, the debtor in case number 19-44253-659 (“the Defendant”), may not receive a discharge in case number 19-44253-659 as to any debt that he listed or could have listed on his schedules in a prior chapter 7 case, case number 17-40382-659. Based upon the entire record of this adversary proceeding, the records of bankruptcy case numbers 17-40382-659 and 19-44253-659, and good cause appearing,

THIS COURT HEREBY FINDS AND CONCLUDES as follows:

1. The Plaintiff timely filed the Complaint in this adversary proceeding under 11 U.S.C. § 523(a)(10), and this Court has jurisdiction over this proceeding.
2. The Defendant was duly served with the Complaint, Summons and Notice of Trial on December 10, 2019, with the Application for Entry of Default on January 13, 2020, with the Clerk’s


Entry of Default on January 16, 2020, and with the Plaintiff's Motion for Default Judgment and Notice of Hearing on January 16, 2020.

3. The Defendant did not file an answer or response to the Complaint or an objection or response to the Plaintiff's Motion for Default Judgment.

4. In a prior chapter 7 bankruptcy case, case number 17-40382-659, the Court revoked the Defendant's discharge pursuant to 11 U.S.C. § 727(d)(2) and (b) and approved the Defendant's waiver of his discharge. Pursuant to 11 U.S.C. § 523(a)(10), the Defendant may not receive a discharge as to any debts that he listed or could have listed on his bankruptcy schedules in case number 17-40382-659.

Based on the foregoing,

IT IS HEREBY ORDERED that the Motion for Default Judgment is hereby **GRANTED** and that, pursuant to 11 U.S.C. § 523(a)(10), the Defendant, Jimmie Lee Brown, shall not receive discharge in case number 19-44253-659 as to any debts that he listed or could have listed on his bankruptcy scheduled in case number 17-40382-659. The Court shall enter a separate Judgment that excepts such debts from any discharge in case number 19-44253-659.


KATHY A. SURRATT-STATES
Chief U.S. Bankruptcy Judge

DATED: February 19, 2020
St. Louis, Missouri
jjh

Order Prepared By:

Carole J. Ryczek
Trial Attorney
Office of the United States Trustee
111 S. 10th St.
Suite 6.353
St. Louis, MO 63102

Copies mailed to the following upon entry:

Kristen J. Conwell
Conwell Law Firm LLC
P.O. Box 56550
St. Louis, MO 63156
CHAPTER 7 PANEL TRUSTEE

Neil A. Weintraub
1515 North Warson Road
Suite 232
St. Louis, MO 63132
COUNSEL FOR DEBTOR

Jimmie Lee Brown
4624 Behlmann Estates Lane
Florissant, MO 63034
DEBTOR